

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RANDON ARKINSON,

Defendant.

CR-11-22-GF-BMM-JTJ

ORDER

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on February 20, 2019. (Doc. 93). Judge Johnston conducted a revocation hearing on February 19, 2019. The United States alleged that Defendant Arkinson violated the conditions of his supervised release: 1) by committing another crime; 2) by failing to complete his sex offender treatment program; and 3) by consuming alcohol. (Doc. 86 at 3-4).

Arkinson admitted that he had violated the conditions of his supervised release by failing to complete his sex offender treatment program. The government met its burden of proof with respect to the other two alleged violations. The government proved that Arkinson had committed another crime, and that Arkinson had consumed alcohol. The violations are serious and warrant revocation of Arkinson's supervised release.

Judge Johnston recommended that the Court revoke Arkinson's supervised release. (Doc. 93). Judge Johnston recommended that Arkinson be incarcerated for eight (8) months, with thirty-two (32) months of supervised release to follow. *Id.* Judge Johnston recommended further that the first sixty (60) days of supervised release be served at Connections Corrections in Butte, Montana. *Id.*

Arkinson objected to Judge Johnston's findings and recommendations. (Doc. 94). Mr. Arkinson specifically objected to the recommended term of imprisonment of eight (8) months and to the terms of supervised release. *Id.* Mr. Arkinson requested a hearing before the Court for allocution and reconsideration of his sentence. *Id.*

This Court conducted a revocation hearing on April 9, 2019. (Doc. 96). Arkinson sought to challenge the custodial period and the terms of his supervised release. *Id.* This Court reviewed Arkinson's background and listened to counsel's arguments. *Id.* After careful review, this Court will adopt Judge Johnston's findings and recommendations in full. A custody term of eight (8) months, with thirty-two (32) months of supervised release to follow proves sufficient but not greater than necessary. Arkinson will serve also the first sixty (60) days of supervised release at Connections Corrections in Butte, Montana.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 93) are **ADOPTED IN FULL**.

IT IS FURTHER ORDERED that Randon Arkinson receive a custody term of eight (8) months, with thirty-two (32) months of supervised release to follow. Arkinson will serve the first sixty (60) days of supervised release at Connections Corrections in Butte, Montana.

DATED this 10th day of April, 2019.

A handwritten signature in blue ink, reading "Brian Morris". The signature is written in a cursive style with a horizontal line underneath it.

Brian Morris
United States District Court Judge

